

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2010-005055

03/11/2011

HONORABLE JEANNE GARCIA

CLERK OF THE COURT
M. Hovorka
Deputy

DAVID MYERS

JEFFREY I OSTREICHER

v.

CHRIS J BARDSLEY

TERRY P THOMPSON

MINUTE ENTRY

The court has received a copy of Plaintiff's Motion to Hold Allstate Insurance Company in Contempt and Order it to Fully and Properly Comply with the October 18, 2010 Supboena electronically filed on February 18, 2011 and Allstate Insurance Company's Response electronically filed on March 4, 2011.

IT IS ORDERED rejecting Plaintiff's Motion pursuant to the court's minute entry dated December 16, 2010, page 3, Discovery Dispute Protocol as repeated below.

Discovery Protocol (Disputes):

With respect to discovery disputes, counsel are advised that, as the Court interprets Civil Rule 37(a)(2)(c), an exchange of correspondence between counsel is not sufficient to satisfy the "personal consultation" requirement of the rule, except in extraordinary circumstances. At a minimum, counsel must speak to each other by telephone to attempt to resolve the dispute in good faith before involving the Court.

Counsel shall call this Division's judicial assistant at 602-372-0610 to request a short telephonic conference to discuss any discovery disputes or any other matter that may impact the

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parties' ability to resolve this case in a just, speedy, and inexpensive manner **prior** to filing any motions.

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>. Attorneys are encouraged to review Supreme Court Administrative Orders 2010-117 and 2011-10 to determine their mandatory participation in eFiling through AZTurboCourt.